

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

HONEYWELL INTERNATIONAL,  
INC., et al.,

Plaintiffs,

v.

Case No. 02-73948  
Hon: AVERN COHN

TG NORTH AMERICA CORPORATION;  
TG FLUID SYSTEMS USA  
CORPORATION; and A. RAYMOND,  
INC.,

Defendants.

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**SCHEDULING ORDER**

This is a patent case. On June 28, 2006, the Court of Appeals for the Federal Circuit affirmed the grant of summary judgment of non-infringement. See Honeywell v. ITT, 452 F.3d 1312 (Fed. Cir. 2006). On September 26, 2006, the Court lifted the stay of proceedings previously entered on the counterclaim. On October 18, 2006, the Court held a status conference on the future course of the case, particularly with regard to the:

1. counterclaim of defendants TG Fluid Systems USA Corporation and A. Raymond, Inc. for indemnification; and
2. assertion by the defendants that this case is exceptional under 35 U.S.C. § 285, thus entitling them to attorney fees.

Following discussions the Court established a schedule as follows:

1. Within thirty (30) days defendants shall file an amended counterclaim for

indemnification and separately file a motion for attorney fees. The motion for attorney fees need not include the dollar amount.

2. Plaintiff shall file an answer to the amended counterclaim and to the motion for attorney fees within thirty (30) days thereafter.

3. The Court will hold a status conference to consider further proceedings on **Tuesday, January 30, 2007 at 2:00 p.m.**

Any objections to this order shall be filed within five (5) days.

SO ORDERED.

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: October 24, 2006

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, October 24, 2006, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160